

OFFICIAL GAZETTE



GOVERNMENT OF GOA

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

10/2/2005-LA (Part)/1832

The National Council for Teacher Education (Amendment and Validation) Ordinance, 2006 (Ordinance No. 2 of 2006), which has been promulgated by the President in the Fifty-seventh Year of the Republic of India and published in the Gazette of India, Extraordinary, Part II, Section 1, No. 46 dated 11-9-2006, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Panaji, 12th October, 2006.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

*New Delhi, the 11th September, 2006/20 Bhadra,
1028 (Saka)*

THE NATIONAL COUNCIL FOR TEACHER
EDUCATION (AMENDMENT AND
VALIDATION) ORDINANCE, 2006

No. 2 of 2006

*Promulgated by the President in the Fifty-seventh
Year of the Republic of India.*

An Ordinance to amend the National Council for Teacher Education Act, 1993, to provide for validation of qualifications in teacher education obtained from certain institutions and to prescribe penalty for running unrecognised institutions, and for matters connected therewith or incidental thereto.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*— (1) This Ordinance may be called the National Council for Teacher Education (Amendment and Validation) Ordinance, 2006.

(2) It shall come into force at once.

2. *Insertion of new section 17A.*— In the National Council for Teacher Education Act, 1993 (hereinafter referred to as the principal Act), after section 17, the following section shall be inserted, namely:—

“17A. *No admission without recognition.*— No institution shall admit any student to a course or training in teacher education, unless the institution concerned has obtained recognition under section 14 or permission under section 15, as the case may be.”.

3. *Insertion of new Chapter IVA.*— In the principal Act, after section 18, the following Chapter shall be inserted, namely:—

‘CHAPTER IV A

TEMPORARY PROVISIONS FOR RECOGNITION
OF CERTAIN INSTITUTIONS

18A. *Definition.*— In this Chapter, “Specified date” means the date of commencement of the National Council for Teacher Education (Amendment and Validation) Ordinance, 2006.

18B. *Recognition of certain institutions.*— (1) Where an institution, offering a course or training in teacher education before the specified date, failed to make an application under sub-section (1) of section 14, but an examining body granted affiliation to, and held examination for a course or training in teacher education conducted by, such institution, or such examination was due, before the specified date, the provisions of this Chapter shall apply in respect of such institution.

(2) An institution falling under sub-section (1) may make an application to the Regional Committee concerned in such form and within such period and along with such fee, as may be prescribed.

(3) An application under sub-section (2) shall be dealt with in such manner as may be prescribed.

(4) An order granting recognition to an institution on its application under sub-section (2) shall be deemed to be effective from the date of grant of affiliation to it or holding of examination for a course or training conducted by it for the first time, whichever is earlier.

18C. *Appeals of certain institutions.*— (1) Where an institution, offering a course or training in teacher education before the specified date, was refused recognition under clause (b) of sub-section (3) of section 14 and it failed to prefer an appeal under sub-section (1) of section 18, but an examining body granted affiliation to, and held examination for a course or training conducted by, such institution, or such examination was due, before the specified date, such institution may prefer an appeal to the Council within a period of sixty days from the specified date.

(2) An appeal under sub-section (1) shall be accompanied with such fee as is prescribed for an appeal under sub-section (3) of section 18.

(3) An appeal under sub-section (1) shall be in the same form and dealt with in the same manner as an appeal preferred under sub-section (1) of section 18.

(4) Where the Council reverses the order appealed against under sub-section (1), an order granting recognition to an institution shall be deemed to be effective from the date of grant of affiliation to it or holding of examination for a course or training conducted by it for the first time, whichever is earlier.

18D. *Validity of affiliations and examinations in respect of certain institutions.*— Notwithstanding anything contained in section 16, where an institution offering a course or training in teacher education before the specified date, obtains recognition by virtue of sub-section (4) of section 18B or sub-section (4) of section 18C, the affiliation granted by an examining body to, and the examination held for a course or training conducted by, such institution, shall be deemed to have been validly granted and held, as the case may be.

18E. *Validity of qualifications obtained from certain institutions.*— Notwithstanding anything contained in sub-section (4) of section 17, where an institution offering a course or training in teacher education before the specified date, obtains recognition by virtue of sub-section (4) of section 18B or sub-section (4) of section 18C, the qualification in teacher education obtained pursuant to such course or training or after undertaking a course or training in such institution, shall be deemed to have been validly obtained.

18F. *Validation.*— Anything done or any action taken or any effect given in terms of sections 18B, 18C, 18D and 18E shall be valid, notwithstanding any judgement, decree or order of any court, tribunal or other authority to the contrary:

Provided that where any unrecognised institution offering a course or training in teacher education before the specified date was directed by any court, tribunal or other authority to return the fees and pay compensation to students admitted by such institution, such institution shall comply with such direction:

Provided further that in respect of students whose qualifications are deemed to have been validly obtained under section 18E, the amount of fees and compensation shall be credited to the Fund of the Council.

18G. *Duration and savings.*— This Chapter shall remain in force for a period of six months from the specified date, but its expiry under the operation of this section shall not affect—

(a) The previous operation of, or anything duly done or suffered under this Chapter, or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under this Chapter, or

(c) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation or liability as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced as if this Chapter had not expired.'.

4. *Insertion of new section 30A.*— In the principal Act, after section 30, the following section shall be inserted, namely:—

“30A. *Penalty for contravention of section 17A.*— An institution which contravenes section 17A shall be liable to pay to the Council a penalty of an amount equal to double the amount received from each student against his admission in such institution:

Provided that before imposing any penalty, the Council shall give to the institution concerned a reasonable opportunity of being heard.”.

5. *Amendment of section 31.*— In the principal Act, in section 31, in sub-section (2), after clause (g), the following clauses shall be inserted, namely:—

“(ga) the form in which and the period within which an application under sub-section (2) of section 18B is to be made, and the fee payable on such application;

(gb) the manner of dealing with an application under sub-section (3) of section 18B;”.

A. P. J. ABDUL KALAM,
President.

K. N. CHATURVEDI,
Secy. to the Government of India.

Notification

10/2/2005-LA (Part)

The Produce Cess Laws (Abolition) Act, 2006 (Central Act No. 46 of 2006), which has been passed by the Parliament and assented to by the President of India and on 25-9-2006 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 26-9-2006, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 5th January, 2007.

THE PRODUCE CESS LAWS (ABOLITION) ACT, 2006

AN

ACT

to repeal the Agricultural Produce Cess Act, 1940 and the Produce Cess Act, 1966.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Produce Cess Laws (Abolition) Act, 2006.

2. *Repeal of Act 27 of 1940.*— The Agricultural Produce Cess Act, 1940 is hereby repealed.

3. *Repeal of Act 15 of 1966.*— The Produce Cess Act, 1966 is hereby repealed.

4. *Savings.*— (1) The repeal by this Act of any enactment shall not,—

(a) Affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;

(b) affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

(c) affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed.

(d) revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

(2) The mention of particular matters in sub-section (1) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897, with regard to the effect of repeals. 10 of 1897.

5. *Collection and payment of arrears of duties.*— Notwithstanding the repeal of the enactments specified in section 2 and section 3, the proceeds of duties levied under the said enactments immediately preceding the date on which the Produce Cess Laws (Abolition) Bill, 2006 receives the assent of the President,—

(i) if collected by the collecting agencies but not paid into the Reserve Bank of India; and

(ii) if not collected by the collecting agencies,

shall be paid or as the case may be, collected and paid into the Reserve Bank of India for being credited to the Consolidated Fund of India.

Notification

10/2/2005-LA (Part)

The Appropriation (Railways) No. 4 Act, 2006 (Central Act No. 37 of 2006), which has been passed by the Parliament and assented to by the President of India and on 27-8-2006 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 28-8-2006, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 15th January, 2007.

THE APPROPRIATION (RAILWAYS) NO. 4 ACT, 2006

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2006-07 for the purposes of Railways.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Appropriation (Railways) No. 4 Act, 2006.

2. *Issue of Rs. 150,00,90,000 out of the Consolidated Fund of India for the financial year 2006-07.*— From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of one hundred fifty crores and ninety thousand rupees towards defraying the several charges which will come in course of payment during the financial year 2006-07, in respect of the services relating to Railways specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

| 1 No. of Vote | 2 Services and purposes | 3 Sums not exceeding | | |
|------------------------|---|-------------------------|--|---------------|
| | | Voted by Parliament | Charged on the Consoli- dated Fund | Total |
| | | Rs. | Rs. | Rs. |
| 16 | Assets—Acquisition, Construction and Replacement— <i>Other Expenditure</i> | | | |
| | Capital | 150,00,10,000 | ... | 150,00,10,000 |
| | Railway Funds | 75,000 | ... | 75,000 |
| | Railway Safety Fund | 5,000 | ... | 5,000 |
| Total: | | 150,00,90,000 | ... | 150,00,90,000 |

Department of Personnel

Notification

1/4/2006-PER (Pt. I)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'C' and Group 'D', Non-Ministerial, Non-Gazetted posts, in the Directorate of Museums, Panaji, Government of Goa, namely:—

1. Short title, application and commencement.—

(1) These rules may be called the Government of Goa, Directorate of Museums, Group 'C' and Group 'D', Non-Ministerial, Non-Gazetted posts, Recruitment Rules, 2007.

(2) They shall apply to the post specified in column (2) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. Number, classification and scale of pay.—

The number of posts, classification of the said posts and the scale of pay attached thereto shall be as specified in columns (3) to (5) of the said Schedule:

Provided that the Government may vary the number of posts in column (3) of the said Schedule from time to time subject to exigencies of work.

3. Method of recruitment, age limit and other qualifications.—The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be

as specified in columns (6) to (14) of the said Schedule.

4. Disqualification.—No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax.—Where, the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving.—Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Porvorim, 3rd May, 2007.

SCHEDULE

| Serial No. | Name/ Designation of post | Number of posts | Classifi- cation | Scale of pay | Whether selection post or non- selec- tion post | Age limit for direct recruits | Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972 | Educational and other qualifications required for direct recruits | Whether age & educational quali- fications prescribed for the direct recruits will apply in the case of promotees | Period of proba- tion, if any | Method of recruitment, whether by direct or by promotion or by deputation/ transfer/contract and percentage of the vacancies to be filled by various methods | In case of recruitment by promotion/ deputation/transfer, grades from which promotion/ deputation/transfer is to be made | If a D. S. C./ D. P. C exists, what is its composition | Circumstances in which Goa Public Service Commission is to be consulted in making re- cruitment |
|------------|---------------------------------|--|---|--------------------|--|---|--|---|--|--|---|--|--|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 7(a) | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 1. | Guide Lecturer. | One (2007) (Sub-ject to varia-tion depend on work-load). | Group 'C', Non-Ministerial, Non-Gazetted. | Rs. 4500-125-7000. | Selection. | Not exceeding 40 years (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Government from time to time). | — | <p><i>Essential:</i></p> <p>(1) Bachelors Degree in Archaeology or History or Sanskrit or Ancient Indian History and Culture.</p> <p>(2) Knowledge of Konkani.</p> <p><i>Desirable:</i></p> <p>(1) Diploma in Museology.</p> <p>(2) Through knowledge of History and Cultural Traditions of Goa.</p> <p>(3) Knowledge of Marathi and Hindi.</p> | N. A. | Two years. | By promotion, failing which, by direct recruitment. | <i>Promotion:</i> Senior Museum Guide with 5 years regular service in the Grade. | Group 'C' Departmental Promotion Committee/Departmental Selection Committee. | N. A. |
| 2. | Senior Museum Guide. | One (2007) (Sub-ject to varia-tion depend on work-load). | Group 'C', Non-Ministerial, Non-Gazetted. | Rs. 4000-100-6000. | Selection. | Not exceeding 40 years (Relaxable for Government servants | — | <p><i>Essential:</i></p> <p>(1) Bachelors Degree in Archaeology or History or Sanskrit or Ancient Indian History and Culture.</p> | N. A. | Two years. | By direct recruitment. | N. A. | Group 'C' Departmental Selection Committee/Departmental Promotion Committee. | N. A. |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 7(a) | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
|----------------------------|--|---|--------------------|------------|---|---|--|---|------------|------------------------|-------|--|-------|----|
| | | | | | | upto 5 years in accordance with the instructions or orders issued by the Government from time to time). | | (2) Knowledge of Konkani. <i>Desirable:</i> (1) Knowledge of Cultural Traditions of Goa. (2) Knowledge of Marathi and Hindi. | | | | | | |
| 3. Conservation Assistant. | One (2007) (Subject to variation dependent on workload). | Group 'C', Non-Ministerial, Non-Gazetted. | Rs. 4500-125-7000. | Selection. | Not exceeding 40 years (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Government from time to time). | — | <i>Essential:</i> (1) Bachelors Degree in Science with Chemistry, with atleast 2nd Class, from a recognised University. (2) Knowledge of Konkani. <i>Desirable:</i> (1) Training in Conservation of Museum Objects. (2) Experience in Museum Conservation. (3) Knowledge of Marathi. | N. A. | Two years. | By direct recruitment. | N. A. | Group 'C' Departmental Selection Committee/Departmental Promotion Committee. | N. A. | |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 7(a) | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
|------------|----------|----------|--------|-------|------------|---|-------------------|-------|--------|--------------|-------|---------------|-------|----|
| 4. Library | One | Group | Rs. | N. A. | Not | — | <i>Essential:</i> | N. A. | Two | By direct | N. A. | Group 'D' | N. A. | |
| Atten- | (2007) | 'D', | 2550- | | exceeding | | (1) VIII Standard | | years. | recruitment. | | Departmental | | |
| dant. | (Sub- | Non- | -55- | | 40 years | | passed. | | | | | Promotion | | |
| | -ject to | -Mini- | -2660- | | (Relaxable | | (2) Knowledge of | | | | | Committee/ | | |
| | varia- | sterial, | -60- | | for | | Konkani. | | | | | /Departmental | | |
| | -tion | Non- | -3200. | | Govern- | | | | | | | Selection | | |
| | depen- | -Gaze- | | | servants | | <i>Desirable:</i> | | | | | Committee. | | |
| | -dent on | tted. | | | upto 5 | | (1) Knowledge of | | | | | | | |
| | work- | | | | years in | | Marathi. | | | | | | | |
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| | | | | | to time). | | | | | | | | | |
| 5. Labora- | One | Group | Rs. | N. A. | Not | — | <i>Essential:</i> | N. A. | Two | By direct | N. A. | Group 'C' | N. A. | |
| tory | (2007) | 'D', | 2550- | | exceeding | | (1) VIII Standard | | years. | recruitment. | | Departmental | | |
| Atten- | (Sub- | Non- | -55- | | 40 years | | passed. | | | | | Selection | | |
| dant. | -ject to | -Mini- | -2660- | | (Relaxable | | (2) Knowledge of | | | | | Committee/ | | |
| | varia- | sterial, | -60- | | for | | Konkani. | | | | | /Departmental | | |
| | -tion | Non- | -3200. | | Govern- | | | | | | | Promotion | | |
| | depen- | -Gaze- | | | servants | | <i>Desirable:</i> | | | | | Committee. | | |
| | -dent on | tted. | | | upto 5 | | (1) Knowledge of | | | | | | | |
| | work- | | | | years in | | Marathi. | | | | | | | |
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